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Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HENRY LEE TOWNSEND,

Petitioner,

v.

DERRAL ADAMS, Warden,

Respondent.

C 07-4904 PJH (PR)

**DECLARATION OF STAN
HELFMAN IN SUPPORT OF
MOTION FOR EXTENSION
OF TIME TO FILE ANSWER**

Stan Helfman states under Penalty of Perjury:

(1) I am a Supervising Deputy Attorney General for the State of California and I represent respondent in this matter.

(2) According to the Order to Show Cause, Townsend was convicted by a jury of receiving stolen property and use of a stolen access card with enhancements for priors, he was sentenced to a term of 25 years to life. The California Court of Appeal affirmed the conviction. The California Supreme Court denied review.

(3) On September 21, 2007, Townsend filed a *pro se* petition for a writ of habeas corpus in this court.

1 (4) On September 28, 2007, this Court issued an order to show cause and directed the
2 service and filing of an answer on or before November 27, 2007.

3 (5) Respondent has filed two prior extension requests in this case. This court
4 extended our time to March 28, 2008.

5 (6) I received this court's order to show cause on October 4, 2007. I promptly ordered
6 our state appeal file, which I received on October 11, 2007.

7 (7) The appeal file consists of approximately 700 pages of transcripts, pleadings,
8 orders, and other materials.

9 (8) I have reviewed the petition and the claims of instructional error, improper failure
10 to limit or sanitize impeachment evidence.

11 (9) Despite my best intentions, I have been unable to complete preparation of our
12 pleading. It was necessary for me to complete pleadings in *People v. Rutledge*, A115713, *People*
13 *v. Ross*, H030005, *Greensweight on Habeas Corpus*, A120441, *Dossman v. Newland*, C00-0384
14 (on remand from 9th Circuit), *People v. Grimmer*, A118531, *People v. Moore*, A117300. At the
15 same time, in my capacity as a supervisor, it was necessary for me to review numerous lengthy
16 draft pleadings prepared by other deputies in this office. I just completed reviewing a 142 page
17 draft respondent's brief addressing numerous complex issues. I must prepare pleadings in
18 *Jordan v. Yates*, C07-4680, *Conti v. Evans*, C05-2145, *Magraff v. Ayers*, CIV S 07-1121,
19 *Espinosa v. Walker*, C 07-1741. I am working on *Espinosa*.

20 For the foregoing reasons, we respectfully request an extension of time of 60 days, to
21 and including May 27, 2008, in which to answer the petition.

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1 Dated: March 28, 2008

2 Respectfully submitted,

3 EDMUND G. BROWN JR.
4 Attorney General of the State of California

5 DANE R. GILLETTE
6 Chief Assistant Attorney General

7 GERALD A. ENGLER
8 Senior Assistant Attorney General

9 /s/ Stan Helfman
10 STAN HELFMAN
11 Supervising Deputy Attorney General
12 Attorneys for Respondent
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